

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	MISCELLANEOUS ACTION
v.	:	
CITX CORPORATION	:	NO. 11-7

MEMORANDUM AND ORDER

This miscellaneous matter entitled “Petition to Preserve All Case Documents” (ECF No. 1) is filed by an individual, Bernard A. Roemmele, pro se, who states that he is petitioning the Court pursuant to Fed. R. Civ. P. 60(b)(3)(6) and (d)(3), and to intervene pursuant to Fed. R. Civ. P. 24(a)(1)(2), and requests an order directing the Clerk of Court to preserve all documents obtained pursuant to a search warrant in a matter previously filed in this district.

The prior case is also a miscellaneous matter that appears to arise out of the issuance of a search warrant, No. 2002-52. The 2002 case was opened on January 22, 2002 on the issuance of a search warrant as to CITX Corporation, 200 Kelly Road, Quakertown, PA. The docket entries show an application and affidavit filed by the United States, a motion that the search warrant and other documents shall be impounded with the Order, signed by Magistrate Judge Angell, a return on the search warrant executed on January 23, 2002, and a motion that the affidavit and accompanying papers relating to the search are to be unsealed, with the Order signed by Magistrate Judge Scuderi on August 27, 2004. There are no other docket entries.

The present “Petition to Preserve All Case Documents” does not demonstrate that this Court has any jurisdiction to grant any relief to the Petitioner. It appears from the papers that he

asserts he was the former president of Citx Corporation, and that he is a party in several judicial proceedings involving alleged willful destruction and suppression of evidence seized pursuant to the search warrant issued in this district as reflected in the 2002 case. Petitioner also asserts he was sentenced in criminal proceedings in the Southern District of Florida, and presently has an appeal pending before the Court of Appeals for the Eleventh Circuit.

Although Petitioner certifies that he served a copy of his Petition on the Solicitor General of the United States, there is no showing of service on the United States Attorney for this district.

For the foregoing reasons and without any showing that this Court has jurisdiction to grant any relief, and because the Court has substantial doubts whether, even if jurisdiction existed, the Petition is timely, it is hereby ORDERED that the Petition to Preserve All Case Documents is DENIED.

BY THE COURT:

s/Michael M. Baylson

Date: 1/27/11

Michael M. Baylson, U.S.D.J.

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